



18304 U.S. PTO

042204

15364 U.S. PTO  
10/829515

042204

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of

FRED D. SOLOMON

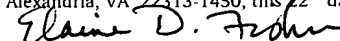
Serial No.

Filed:

For: HEAT PUMP SYSTEM

## CERTIFICATE OF EXPRESS MAILING

I HEREBY CERTIFY that this Transmittal Sheet and listed attachments were deposited with the United States Postal Service, Express Mail Post Office to Address Service, EXPRESS MAIL LABEL NO. EL726133992US, addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 22<sup>nd</sup> day of April, 2004.



Elaine D. Fisher, Assistant to Phillip L. Kenner

Attorney Docket No. SLM.P.US0007A

## TRANSMITTAL SHEET

Mail Stop PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Enclosed are the following documents:

Request for Filing a Divisional Application Under 37 C.F.R. § 1.53(b);  
 Specification, claims and abstract (total 36 pp.);  
 Eight (8) sheets of formal drawings containing Figs. 1-8;  
 Copy of Declaration and Power of Attorney as filed in copending U.S. Patent  
 Application Serial No. 10/447,369 filed May 29, 2003;  
 Check in the amount of \$640.00 for filing fee; and  
 Return receipt postcard.

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge payment of any deficiency of fees associated with this communication or credit any overpayment to Deposit Account No. 18-0987.



Phillip L. Kenner, Reg. No. 22,353

RENNER, KENNER, GREIVE, BOBAK,

TAYLOR &amp; WEBER

First National Tower, Fourth Floor

Akron, OH 44308-1456

Telephone: (330) 376-1242

Attorneys for Applicant

Date: April 22, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of )

FRED D. SOLOMON )

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*Elaine D. Fisher*

Elaine D. Fisher, Assistant to Phillip L. Kenner

) Attorney Docket No. SLM.P.US0007A

**REQUEST FOR FILING A DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53 (b)**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

Sir:

This is a request for filing a divisional application under 37 C.F.R. § 1.53 (b). The divisional application is being filed concurrently herewith.

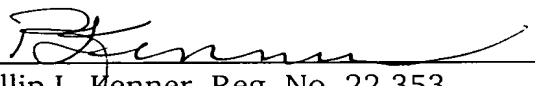
1. The divisional application gains priority under 35 U.S.C. § 120 from a co-pending application, U.S. Serial No. 10/447,369 filed on May 29, 2003, and sets forth claims 1-25 and 36-44 of that application constituting a non-elected invention under a requirement for restriction, presented herein as claims 1-34, inclusive.
2. The accompanying divisional application has not been amended to add new matter. The application, however, has been amended to disclose its status as a divisional application by inserting before the first line the sentence: This application is a divisional of U.S. Serial No. 10/447,369, filed on May 29, 2003. 37 C.F.R. § 1.78(a)(2). Typographical and clarifying corrections may have been made to the specification and claims without adding new matter.

3. The entire disclosure of the prior co-pending application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference in the subject divisional case.
4. Accompanying this request is a copy of the COMBINED DECLARATION AND POWER OF ATTORNEY as originally filed in U.S. Serial No. 10/447,369 from which this divisional case ultimately gains priority. 37 C.F.R. §1.63 (d).
5. This divisional application names as inventors the same or fewer than all of the inventors named in the prior co-pending application.
6. The Power of Attorney in the prior application is to Reese Taylor, Phillip L. Kenner, Edward G. Grieve, Donald J. Bobak, Ray L. Weber, Joseph G. Curatolo, Rodney L. Skoglund, Andrew B. Morton, Arthur M. Reginelli, Shannon V. McCue, John J. Cunniff, Mark L. Weber, Richard B. O'Planick and Tama L. Drenski, as set forth in the copy of the combined DECLARATION AND POWER OF ATTORNEY, submitted herewith.
7. Please address all future correspondence to: Phillip L. Kenner, Esq.  
RENNER, KENNER, GRIEVE, BOBAK,  
TAYLOR & WEBER  
First National Tower, Fourth Floor  
Akron, OH 44308-1456
8. The filing fee for this divisional application has been calculated as shown below:

Small Entity						Other Than A Small Entity	
For:	No. Filed	No. Extra	Rate	Fee	Or	Rate	Fee
Basic Fee				\$385.00			\$770.00
Total Claims	34-20	14	x9	\$126.00		x18	\$
Indep Claims	6-3	3	x43	\$129.00		x86	\$
___ Multiple Dep. Claim Presented			+145	\$		290	\$
			Total	\$640.00		Total	\$

9. A check in the amount of \$640.00 to cover this filing fee is enclosed.
10. The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 18-0987.
11. The Commissioner is hereby authorized to treat any concurrent or future reply, requiring a petition for an extension of time under 37 C.F.R. § 1.136 for its timely submission, as incorporating a Petition for Extension of Time for the appropriate length of time. 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

  
Phillip L. Kenner, Reg. No. 22,353  
RENNER, KENNER, GREIVE, BOBAK,  
TAYLOR & WEBER  
First National Tower, Fourth Floor  
Akron, Ohio 44308  
(330) 376-1242  
Attorneys for Applicant

Date: April 22, 2003